

Response to Final Office Action
dated August 19, 2009

PATENT
Application No. 09/868,379
Filing Date: 08/15/2001
Examiner: Lezah Roberts
Art Unit: 1612
Attorney Docket No. 2006-219/H03763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the United States Patent Application of :
Applicants: Christian Kropf, :
Ulrike Brüninghaus, :
Amerigo Pastura, :
Michael Meinders, :
Peter Wülkner, :
Rolf Hempelmann and :
Marcel Roth :
Examiner: Lezah Roberts
Application Serial No. 09/868,379 :
Filing Date: 08/15/2001 :
Confirmation No. 8884 :
Continuation of International Application :
No. PCT/EP99/09683, filed 12/09/1999 :
Claiming German priority of :
Application No. 198 53 662.0, filed 12/18/1998 :
Art Unit: 1612

Title: **FINE SUSPENSIONS OF POORLY SOLUBLE CALCIUM SALTS AND THEIR USE IN DENTAL CARE PRODUCTS**

Authorization To Charge Deposit Account

Applicants' Amendment and Response is to a Final Office Action. A Request for Continued Examination (RCE) is being filed electronically. The \$810.00 RCE fee is being paid by credit card during the electronic filing procedure. However, in the event the amount paid is incorrect, the Director is authorized to charge any underpayment or credit any overpayment to **Deposit Account No. 160750** of the law firm of the undersigned attorney.

November 19, 2009
Date

/John S. Child, Jr./
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ELECTRONIC FILING
MAIL STOP — RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Amendment and Response
To United States Patent and Trademark Office
Examiner's Action Under 37 C.F.R. Section 1.111

Dear Sir:

I. Introduction

Applicants' Amendment and Response is to an United States Patent and Trademark Office Examiner's Action dated August 19, 2009. In the Action, the Examiner set a shortened statutory period for Applicants' reply of three months, *i.e.*, by November 19, 2009. Accordingly, Applicants' Amendment and Response is timely as it is being filed electronically on November 19, 2009.

The Action is a Final Action. Accordingly, Applicants also submit a Request for Continued Examination, with the fee set forth in 37 C.F.R. Section 1.17(e). Under 37 C.F.R. Section 1.114(d), "If an applicant timely files a submission and fee set forth in Section 1.17(e), the Office will withdraw the finality of any Office Action and the submission will be entered and considered." For that reason, Applicants' Amendment and Response is properly captioned as being under 37 C.F.R. Section 1.111.